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| 09/852,438 | 05/09/2001 | Roni Even | ACC16CIP (06544.TBA) | 4993 |
| 29855 | 7590 | 06/27/2005 | EXAMINER | |
| WONG, CABELLO, LUTSCH, RUTHERFORD & BRUCCULERI, P.C. 20333 SH 249 SUITE 600 HOUSTON, TX 77070 | | | BENGZON, GREG C | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2144 | |

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/852,438

Applicant(s)

EVEN, RONI

Examiner

Greg Bengzon

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Art Unit: 2144

DETAILED ACTION

This application has been examined. Claims 1-19 are pending. This Office Action is in response to Request for Continued Examination (RCE) filed 06/08/2005. No Claim Amendments have been submitted.

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection.

Priority

This application claims benefit of US Patent Application Number 09/708898 (11/08/2000) and US Provisional Application 60/164298 (11/08/1999).

The effective filing date for the subject matter defined in the pending claims, as described in the parent and provisional applications, is 11/08/1999. Claims pertaining to new subject matter, as introduced in this application, have an effective filing date of 05/09/2001.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which

Art Unit: 2144

said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krishnaswamy et al. (US Patent Number 5867494) hereinafter referred to as Krishnaswamy, in view of Schaffer et al. (US Patent Number 6738343) hereinafter referred to as Schaffer.

With respect to Claim 1, Krishnaswamy disclosed a system for controlling multimedia multipoint communication, (Krishnaswamy - Figure 19C-19G, Column 1 Lines 1-40, Column 9 Lines 40-50) comprising: a plurality of multimedia terminals supporting different multimedia conferencing protocols;(Krishnaswamy – Column 136 Lines 5-15) a multipoint controller in communication with said plurality of multimedia terminals for call signaling and call control information; (Krishnaswamy - Column 131 Lines 20-50) and at least one multipoint processor unit in communication with said plurality of multimedia terminals for media information and in communication with said multipoint controller over ITU protocols for interfacing the call signaling and the call control information between said multipoint controller and the terminals, wherein the multipoint controller is used to establish and control multipoint mixing of media. (Krishnaswamy - Column 132 Lines 1-40)

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

Shaffer disclosed a fault-tolerant H.323 multimedia system having an MCU in communication with multimedia terminals, with said terminals having MCU capabilities, such that the terminals are able to perform call signaling and control functions. (Shaffer - Column 3 Lines 20-50) Shaffer's disclosures are equally applicable to any network in which separate media and signaling channels are used, such as MGCP (Media Gateway Control Protocol), SIP+ (Inter MGS Protocol), SGCP, MEGACO and generally, any voice or multimedia over IP scheme. (Shaffer - Column 3 Lines 5-10) Further, it is noted that, while described specifically in the context of voice packets, the Shaffer's disclosure encompasses the use of any multimedia information, such as video, data, voice, or any combinations thereof.

Krishnaswamy and Shaffer are analogous art because they present solutions for multimedia systems using Multipoint Control Units (MCU) to enable the communications between terminals supporting different multimedia protocols. (Krishnaswamy Column 131 Lines 20-35, Shaffer Column 3 Lines 20-25) It is respectfully suggested that at the time of the invention it would have been obvious to a person of ordinary skill in the art to apply the teachings of Shaffer to enable the system described by Krishnaswamy to use the H.248/Megaco protocol, such that the MCU can use the H.248/Megaco protocol to communicate with its associated processor unit for interfacing the call signaling and call control functions between the said multipoint control unit and

Art Unit: 2144

the multimedia terminals. The suggested motivation for doing so would be to enable the multipoint control unit (MCU) described by Krishnaswamy to allow for multimedia multipoint communication over circuit-switched PSTN and VOIP networks using ITU recommendations such as MEGACO. (Krishnaswamy Column 135 Lines 20-25) Furthermore, the H.248/Megaco protocol is compliant with Signaling System R2, which is an international signaling system within international regions, for international / domestic signaling. Therefore, it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol.

With respect to Claim 2, Krishnaswamy disclosed the system of claim 1, wherein the multipoint processor unit is in communication with at least one non-H.323 terminal that is not supporting H.323 protocol, (Krishnaswamy - Column 134 Lines 30-65) and wherein the multipoint processor unit is capable of demultiplexing input from said non-H.323 terminal into call signaling and call control information and into media information; and transferring the call signaling and the call control information to the multipoint controller using ITU protocols. (Krishnaswamy - Column 131 Lines 20-40)

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

The Examiner notes that it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol, as combined in Claim 1.

With respect to Claim 3, Krishnaswamy disclosed The system of claim 2, wherein the multipoint processor unit is capable of receiving the call signaling and call control information from the multipoint controller directed to the non-H.323 terminal; multiplexing the call signaling and call control information; and transferring the multiplexed information to the non-H.323 terminal.
(Krishnaswamy - Column 135 Lines 1-40)

With respect to Claim 4, Krishnaswamy disclosed The system of claim 1, wherein the at least one multipoint processor unit is in communication with the

Art Unit: 2144

plurality of multimedia terminals for call signaling and call control information.

(Krishnaswamy - Column 131 Lines 20-50)

With respect to Claim 5, Krishnaswamy disclosed the system of claim 1, wherein the multipoint controller includes an H.245 module for receiving and transmitting information from and to the multipoint processor unit.

(Krishnaswamy - Column 131 Lines 20-50)

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

The Examiner notes that it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol, as combined in Claim 1.

With respect to Claim 6, Krishnaswamy disclosed the system of claim 5, wherein the multipoint controller includes a management module for managing information between the H.245 module and at least one of an H.323 stack, an SIP stack, an SS7 module, or a conference management module.

(Krishnaswamy - Column 132 Lines 15-40)

Art Unit: 2144

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

The Examiner notes that it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol, as combined in Claim 1.

With respect to Claim 7, Krishnaswamy disclosed the system of claim 1, wherein the multipoint processor unit includes an H.245 module for receiving and transmitting information from and to the multipoint controller. (Krishnaswamy - Column 131 Lines 20-40, Column 135 Lines 1-40)

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

The Examiner notes that it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol, as combined in Claim 1.

With respect to Claim 8, Krishnaswamy disclosed the system of claim 7, wherein the multipoint processor unit includes a management module for managing information between the H.245 module and at least one of a switch packet network interface, a switched circuit network interface, an active context, or a bank of available terminations. (Krishnaswamy - Column 132 Lines 15-40)

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

The Examiner notes that it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol, as combined in Claim 1.

With respect to Claim 9, Krishnaswamy disclosed a system for controlling multimedia multipoint communication between a plurality of multimedia terminals supporting different multimedia conferencing protocols, at least one of the terminals being a non-H.323 terminal not supporting H.323 protocol, the communication including call signaling, call control, and media information, the system comprising: (Krishnaswamy - Figure 19C thru 19G, Column Lines 1-40,

Art Unit: 2144

Column 9 Lines 40-50) a multipoint controller handling the call signaling and call control information for the terminals; (Krishnaswamy - Column 131 Lines 20-50) and a multipoint processor handling the media information for the terminals, the processor in communication with the controller over an ITU protocol and in communication with the non-H.323 terminal, the processor interfacing the call signaling and call control information between the controller and the non-H.323 terminal to establish and control multipoint mixing of media. (Krishnaswamy - Column 132 Lines 1-40)

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

The Examiner notes that it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol, as combined in Claim 1.

With respect to Claim 10, Krishnaswamy disclosed The system of claim 9, wherein the processor receives input from the non-H.323 terminal,

demultiplexes the input into call signaling, call control, and media information, and transfers the call signaling and call control information to the controller over an ITU protocol. (Krishnaswamy - Column 131 Lines 20-40)

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

The Examiner notes that it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol, as combined in Claim 1.

With respect to Claim 11, Krishnaswamy disclosed the system of claim 9, wherein the processor receives call signaling and call control information from the controller directed to the non-H.323 terminal, multiplexes the received information, and transfers the multiplexed information to the non-H.323 terminal. (Krishnaswamy - Column 135 Lines 1-40)

With respect to Claim 12, Krishnaswamy disclosed the system of claim 9, wherein the processor is in communication with the plurality of multimedia terminals for handling the call signaling and call control information.
(Krishnaswamy - Column 131 Lines 20-50)

With respect to Claim 13, Krishnaswamy disclosed the system of claim 9, wherein; the multipoint controller includes an module for receiving and transmitting information from and to the multipoint processor. (Krishnaswamy - Column 131 Lines 20-50)

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

The Examiner notes that it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol, as combined in Claim 1.

Art Unit: 2144

With respect to Claim 14, Krishnaswamy disclosed the system of claim 13, wherein the multipoint controller includes a management module for managing information between the H.245 module and at least one of an H.323 stack, an SIP stack, an SS7 module, or a conference management module. (Krishnaswamy - Column 132 Lines 15-40)

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

The Examiner notes that it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol, as combined in Claim 1.

With respect to Claim 15, Krishnaswamy disclosed the system of claim 9, wherein the multipoint processor includes an H.245 module for receiving and transmitting information from and to the multipoint controller. (Krishnaswamy - Column 131 Lines 20-40, Column 135 Lines 1-40)

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

The Examiner notes that it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol, as combined in Claim 1.

With respect to Claim 16, Krishnaswamy disclosed the system of claim 9, wherein the multipoint processor includes a management module for managing information between the H.245 module and at least one of a switch packet network interface, a switched circuit network interface, an active context, or a bank of available terminations. (Krishnaswamy - Column 132 Lines 15-40)

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

The Examiner notes that it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an

Art Unit: 2144

internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol, as combined in Claim 1.

With respect to Claim 17, Krishnaswamy disclosed a method of controlling multimedia multipoint communication between a plurality of multimedia terminals supporting different multimedia conferencing protocols, at least one of the terminals being a non-H.323 terminal not supporting H.323 protocol, the communication including call signaling, call control, and media information, (Krishnaswamy - Figure 19c thru 19G, Column 1 Lines 1-40, Column 9 Lines 40-50) the method comprising: handling the call signaling and call control information for the terminals with a multipoint controller; handling the media information for the terminals with a multipoint processor; (Krishnaswamy - Column 131 Lines 20-50) communicating information between the processor and the controller over an ITU protocol; and interfacing the call signaling and call control information between the controller and the non-H.323 terminal with the processor to establish and control multipoint mixing of media. (Krishnaswamy - Column 132 Lines 1-40)

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol

Art Unit: 2144

between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

The Examiner notes that it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol, as combined in Claim 1.

With respect to Claim 18, Krishnaswamy the method of claim 17, wherein interfacing the call signaling and call control information between the controller and the non-H.323 terminal with the processor comprises: receiving input from the non-H.323 terminal; demultiplexing the input into call signaling, call control, and media information; and transferring the call signaling and call control information to the multipoint controller over an ITU protocol. (Krishnaswamy - Column 131 Lines 20-40)

However Krishnaswamy does not disclose any teachings regarding using the H.248 / Megaco protocol in the system as the communications protocol between the multipoint control unit and the multipoint processor unit, as applied in multimedia systems.

The Examiner notes that it would have been obvious to combine the teachings of Shaffer with Krishnaswamy for the benefit of having an

Art Unit: 2144

internationally accepted and protocol compliant multimedia communications system with its MCU and processor unit using the H.248/Megaco protocol, as combined in Claim 1.

With respect to Claim 19, Krishnaswamy the method of claim 17, wherein interfacing the signaling and call control information between the controller and the non-H.323 terminal with the processor comprises: (Krishnaswamy – Column 134 Lines 35-65) receiving call signaling and call control information from the multipoint controller directed to the non-H.323 terminal; multiplexing the received information; and transferring the multiplexed information to the non-H.323 terminal. (Krishnaswamy - Column 135 Lines 1-40)

Response to Arguments

Applicant's arguments filed 06/08/2005 have been fully considered but they are not persuasive. The reasons for non-persuasiveness are set forth below.

The Applicant presents the following argument(s) *[in italics]* :

Applicant submits that Shaffer does not teach or suggest a multipoint processor using H.248/Megaco protocol for interfacing information between a multipoint controller and a plurality of multimedia terminals. The rejection in the Final Office Action has relied upon a portion of the disclosure of Shaffer that states "the invention is equally applicable to any network in which separate media and signaling channels are used, such as MEGACO. (col. 3, ll. 7-11). However, Shaffer's invention is not about a multipoint processor interfacing between a multipoint controller and a plurality of multimedia terminals. Thus, Shaffer neither teaches anything related to multipoint processor interfacing, nor does Shaffer teach or suggest a multipoint processor using H,248/Megaco protocol for interfacing call signaling and call control information between a multipoint controller and a plurality of multimedia terminals as claimed herein.

The Examiner respectfully disagrees with the Applicant. The Examiner notes that while Shaffer did not mention multipoint processors, Shaffer disclosed using MEGACO with the multipoint control unit (MCU) (Shaffer – Figure 1, Column 3 Lines 20) in order to control communications with a plurality of multimedia terminals. Krishnaswamy describes a multipoint control unit (MCU) as comprised of the Multipoint Controller (MC) and the Multipoint Processor (MP) (Krishnaswamy – Column 131 Lines 20-50). Furthermore, MEGACO (MGCP) specifies a protocol for a physically decomposed gateway (i.e. protocol

Art Unit: 2144

converter) the components of which are distributed across multiple physically distinct devices (as defined by Newton's Telecom Dictionary). The Examiner thus concludes that the MCU described by Shaffer, in the context of using MEGACO, included a multipoint controller and a multipoint processor as well. Thus Shaffer disclosed a multipoint processor using H.248/Megaco protocol for interfacing information between a multipoint controller and a plurality of multimedia terminals, as described in the USC 103 rejection for Claims 1-19.

The Applicant presents the following argument(s) *[in italics]* :

Krishnaswamy and Shaffer are not analogous art. Krishnaswamy does not provide any specific teaching on using a multipoint control unit to enable communications between terminals supporting different multimedia protocols. Similarly, Shaffer does not teach or suggest solutions for multimedia systems using a multipoint control unit to enable communications between terminals supporting different multimedia protocols.

The Examiner respectfully disagrees with the Applicant. In Column 131 Lines 20-35 Krishnaswamy disclosed using a multipoint control unit for processing audio, video and or data streams between three or more terminals. In Column 136 Lines 5-15 Krishnaswamy described processing signals in different multimedia protocols. In Column 3 Lines 3 Lines 15-30 Shaffer disclosed using a multipoint control unit to communicate with multiple terminals. In Column 4 Lines 15-30 Shaffer described processing signals in different multimedia protocols. Thus the Examiner concludes that both Krishnaswamy and Shaffer

Art Unit: 2144

disclosed using a multipoint control unit to enable communications between terminals supporting different multimedia protocols, as described in the USC 103 rejection for Claims 1-19.

The Applicant presents the following argument(s) *[in italics]*:

Krishnaswamy does not teach or suggest utilizing H.248/Megaco protocol for interfacing call signaling and call control information between a multipoint controller and a plurality of multimedia terminals as claimed herein. Thus, absent the present disclosure, there is a lack of teaching or suggestion to utilize multipoint processor using H.248 / Megaco protocol for interfacing call signaling and call control information between a multipoint controller and a plurality of multimedia terminals as claimed herein.

The Examiner respectfully disagrees with the Applicant. Krishnaswamy disclosed a system architecture that defines internetworking with other systems utilizing ITU recommendations. (Krishnaswamy Column 135 Lines 20-25) Thus Krishnaswamy would have been highly motivated to look for other disclosures involving multipoint control units and using ITU recommendations such as MEGACO for said MCUs. Shaffer's disclosures are equally applicable to any network in which separate media and signaling channels are used, such as MGCP (Media Gateway Control Protocol), SIP+ (Inter MGS Protocol), SGCP, MEGACO and generally, any voice or multimedia over IP scheme. (Shaffer – Column 3 Lines 5-10) Further, it is noted that, while described specifically in the

Art Unit: 2144

context of voice packets, the Shaffer's disclosure encompasses the use of any multimedia information, such as video, data, voice, or any combinations thereof. Thus Krishnaswamy, upon learning of Shaffer using MEGACO with an MCU, would have been prompted to allow for communications using MEGACO with the MCU.

The Applicant presents the following argument(s) *[in italics]*:

The combination of Krishnaswamy with Shaffer still fails to disclose all of the limitations of claim 1. More specifically, Krishnaswamy together with Shaffer do not teach or suggest a system comprising at least one multipoint processor unit in communication with a plurality of multimedia terminals for media information and in communication with a multipoint controller over H.248 / Megaco protocol for interfacing the call signaling and the call control information between the multipoint controller and the terminals, wherein, the multipoint controller is used to establish and control multipoint mixing of media. As discussed above, Krishnaswamy does not disclose any teaching related to using H.248 / Megaco protocol, and Shaffer does not teach or suggest a multipoint processor using H.248 / Megaco protocol for interfacing information between a multipoint controller and a plurality of multimedia terminals.

The Examiner respectfully disagrees with the Applicant . The Examiner notes that while Shaffer did not mention multipoint processors, Shaffer disclosed using MEGACO with the multipoint control unit (MCU) (Shaffer – Figure 1,

Art Unit: 2144

Column 3 Lines 20) in order to control communications with a plurality of multimedia terminals. Krishnaswamy describes an MCU as comprised of the Multipoint Controller (MC) and the Multipoint Processor (MP) (Krishnaswamy – Column 131 Lines 20-50). Furthermore, MEGACO (MGCP) specifies a protocol for a physically decomposed gateway (i.e. protocol converter) the components of which are distributed across multiple physically distinct devices (as defined by Newton's Telecom Dictionary). The Examiner thus concludes that the MCU described by Shaffer, in the context of using MEGACO, included a multipoint controller and a multipoint processor as well. Thus the combination of Krishnaswamy and Shaffer disclosed a multipoint processor using H.248/Megaco protocol for interfacing information between a multipoint controller and a plurality of multimedia terminals, as described in the USC 103 rejection for Claims 1-19.

The Applicant presents the following argument(s) *[in italics]*:

With respect to Claim 9, Applicant submits that Krishnaswamy together with Shaffer do not teach or suggest a system comprising a multipoint processor unit in communication with a controller over H.248 / Megaco protocol and in communication with non-H.323 terminal, wherein the processor interfaces call signaling and call control information between the controller and the non-H.323 terminal to establish and control multipoint mixing of media.

With respect to Claim 17, Applicant submits that Krishnaswamy together with Shaffer do not teach or suggest a method comprising interfacing call

Art Unit: 2144

signaling and call control information between a multipoint controller and a non-H.323 terminal with a multipoint processor to establish and control multipoint mixing of media.

The Examiner respectfully disagrees with the Applicant . The Examiner notes that while Shaffer did not mention multipoint processors, Shaffer disclosed using MEGACO with the multipoint control unit (MCU) (Shaffer – Figure 1, Column 3 Lines 20) in order to control communications with a plurality of multimedia terminals. Krishnaswamy describes an MCU as comprised of the Multipoint Controller (MC) and the Multipoint Processor (MP) (Krishnaswamy – Column 131 Lines 20-50). Furthermore, MEGACO (MGCP) specifies a protocol for a physically decomposed gateway (i.e. protocol converter) the components of which are distributed across multiple physically distinct devices (as defined by Newton's Telecom Dictionary). The Examiner thus concludes that the MCU described by Shaffer, in the context of using MEGACO, included a multipoint controller and a multipoint processor as well. . Thus the combination of Krishnaswamy and Shaffer disclosed a multipoint processor using H.248/Megaco protocol for interfacing information between a multipoint controller and a plurality of multimedia terminals, as described in the USC 103 rejection for Claims 1-19.

Art Unit: 2144

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to the enclosed PTO-892 form.

US 6856676 B1 Piro; Johan et al. – disclosed media gateway controller (MGC) using IPDC and SGCP, said IPDC and SGCP combined into a common protocol referred to as media gateway controller protocol (MGCP).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Bengzon whose telephone number is (571) 272-3944. The examiner can normally be reached on Mon. thru Fri. 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571)272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MARC D. THOMPSON
MARC THOMPSON
PRIMARY EXAMINER